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Paper No. 42

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APR 1 8 2003

In re Application of :
Brown et al. :
Application No. 08/621,631 :
Filed: March 26, 1996 :
Attorney Docket No. 12317/142215 :

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed March 5, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed November 6, 2001, which set a shortened statutory period for reply of three (3) months on May 6, 2002. Applicant filed an extension of time to six months in accordance with 37 CFR 1.136(a) and a Notice of Appeal on May 6, 2002. Applicant filed a three month extension of time and an appeal brief in triplicate on October 7, 2002. However, applicant responded only to the rejections and not to the requirement for formal drawings. In accordance with 37 CFR 1.135 (c), applicant's request to hold the requirement for corrected drawings to be held in abeyance was not deemed bona fide. Accordingly, the above-identified application became technically abandoned on October 7, 2002, since the period for reply set forth in the final Office Action had expired. A Notice of Abandonment was mailed on January 14, 2003.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to Phillip Gambel at (703) 305-4066.

The application file is being forwarded to Technology Center 3600, Art Unit 3641 for further processing on applicant's submission of formal drawings, filed March 5, 2003 in addition to applicant's previous submission of a Notice of Appeal and a Brief on Appeals.

E. Shirene Willis

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